

Attorney Docket No.: 2001P15152WOUS
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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SERIAL NO. : 10/771,659
FILED: 02/04/2004
ATTORNEY DOCKET NO.: 2001P15152WOUS

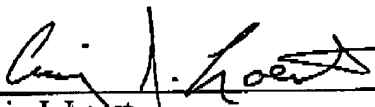
NOV 22 2005

Mail Stop PETITION
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSMILE TRANSMISSION

I hereby certify that the Petition For Unintentionally Delayed Priority Claim Under 37 CFR 1.78(a)(3), Supplemental Application Data Sheet and Fee Transmittal Form are being faxed herewith to: Mail Stop PETITION, Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450 at (571) 273-8300 on the date shown below.

Respectfully submitted,



Craig J. Loest
Name of Person Signing
Registration No. 48,557

November 22, 2005
Date

Intellectual Property Counsel
BSH Home Appliances Corporation
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New Bern, NC 28562
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Total faxed number of pages, including cover sheet and Form PTOL-85, is 9

PTO/SB/17 (12-04/2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1370.00

Complete if Known

Application Number	10/771,659
Filing Date	02/04/2004
First Named Inventor	Michael Steffl et al
Examiner Name	Timothy F. Simone
Art Unit	1761
Attorney Docket No.	2001P15152WOUS

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METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 502786 Deposit Account Name: BSH Home Appliances Corp.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

50

25

Multiple dependent claims

200

100

360

180

Total Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**- 20 or HP = $\frac{\text{Total Claims} - 20}{\text{HP}} \times 50.00$

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims**Extra Claims****Fee (\$)****Fee Paid (\$)**- 3 or HP = $\frac{\text{Indep. Claims} - 3}{\text{HP}} \times 200.00$

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets**Extra Sheets****Number of each additional 50 or fraction thereof****Fee (\$)****Fee Paid (\$)**- 100 = $\frac{\text{Total Sheets} - 100}{50}$ (round up to a whole number) \times Fee = Fee Paid**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Petition For Unintentionally Delayed Claim For Priority Fee: 1,370.00

SUBMITTED BY

Signature	<i>Craig J. Loebe</i>	Registration No. (Attorney/Agent)	48,557	Telephone	252-672-7930
Name (Print/Type)	Craig J. Loebe	Date	November 22, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ATTORNEY DOCKET NO.: 2001P15152WOUS

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Steffl et al.

Application Number: 10/771,659

Filing Date: 02/04/2004

Group Art Unit: 1761

Examiner: Simone, Timothy F.

Title: Fruit Press

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Mail Stop Petitions

Commissioner for Patents

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**PETITION FOR UNINTENTIONALLY DELAYED PRIORITY CLAIM
UNDER 37 CFR 1.78(a)(3)**

Dear Sir:

The Applicants respectfully request the entry of an unintentionally delayed priority claim. The present application was filed on February 4, 2004 and hereby claims priority as a continuation under 35 USC §120 of International Application No. PCT/EP02/09397, filed August 22, 2002, which designated the United States and claimed priority to German Patent Application No. DE 10142245.8, filed August 29, 2001.

Applicants have enclosed an amended Application Data Sheet herewith including the reference to these prior-filed applications. This claim for priority and corresponding reference to the earlier-filed applications are being made during the pendency of the present application. Applicants have also enclosed authorization for payment of the surcharge set forth in 37 CFR §1.17(t). The entire delay between the date the claim was due under 37 CFR §1.78(a)(2)(ii) and the date the claim is being filed was unintentional.

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ATTORNEY DOCKET NO.: 2000P12050WOUS

CONCLUSION

In view of the above, entry of the priority claim is respectfully requested. Please contact the undersigned if there are any questions regarding this petition.

Respectfully submitted,



Craig J. Loest

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November 22, 2005

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